



U.S. Patent Application serial No.: 10/517,734
Attorney Docket No. 696-268A (1003465-00167)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Oleksy et al.)
Serial No.: 10/517,734)
Filed: December 8, 2004)
Group Art Unit: 1797)
Examiner: Nguyen, Tam M)

For: EB/SM SPLITTER HEAT RECOVERY

New York, NY 10036
June 10, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

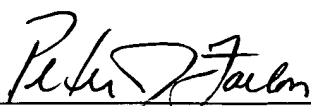
Sir:

In response to the Notice of Non-Compliant Amendment (37 CFR 1.121) (the "Notice") that issued on May 21, 2009, in the above-identified patent application, please consider the following:

CERTIFICATION UNDER 37 C.F.R. § 1.8

I hereby certify that the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date June 10, 2009 in an envelope addressed to: Mail Stop Amendment: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: June 10, 2009


Peter J. Fallon, Reg. No. 58,331